

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DERRICK RAMONE BURROUGHS,

Plaintiff,

-against-

BANK OF AMERICA, N.A., ET AL.,

Defendants.

25-CV-3127 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated April 15, 2025, the Court directed Plaintiff, within 30 days, to submit a completed request to proceed *in forma pauperis* (“IFP”) or pay the \$405.00 in fees required to file a civil action in this court. That order specified that failure to comply would result in dismissal of the complaint. Plaintiff submitted numerous applications but has not filed an IFP application or paid the fees. Moreover, Plaintiff argues that “[t]he court’s current request for a fee directly contravenes [Plaintiff’s] expressed notice, and constitutes a material breach of the conditions under which this chamber proceeding was authorized” (ECF 8 at 1.) If Plaintiff was unable to pay the fees, he had the option of seeking leave to proceed IFP. He has not done so. Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). Judgment shall enter.

Dated: May 16, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge